

REMARKS

Claims 1-13 are all pending claims in the application. Claims 9-13 have been added. Claims 4 and 5 have been withdrawn from consideration as being directed to a non-elected species. Reconsideration and allowance based on the following remarks are respectfully requested.

Priority

Page 2 of the Office Action acknowledges Applicants' claim for foreign priority, but notes that a certified copy of the Japanese priority application has not been submitted. Applicants note, however, that the present application is the National Phase of a PCT/JP2005/010806, which properly claimed priority to Japanese Application 2004-265352. The Notice of Acceptance of Application Under 35 U.S.C. 371 acknowledged receipt of the Japanese priority document. Thus, Applicants respectfully request that the Examiner clarify the record by acknowledging that all requirements for foreign priority have been satisfied.

Prior Art Rejections

Claims 1-3 and 6-7 stand rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Daizen (JP 2003172624 of which translation was done by examiner)¹. These rejections are respectfully traversed.

Claims 1 is directed to a car navigation apparatus comprising, *inter alia*, an intersection searching unit for searching intersections in a vicinity of a current position from among intersections which exist on a route between a current position and a destination; an intersection name outputting unit for outputting intersection names which identify the intersections searched by said intersection searching unit, in order to allow a user to designate at least one of the intersection names; an intersection selecting unit for selecting an intersection by specifying an intersection name designated by the user; a facility searching unit for searching for facilities

¹ For ease of discussion, Applicants refer herein to disclosure in U.S. counterpart 2004/0201501.

which exist in a vicinity of the intersection selected by said intersection selecting unit through the map data acquired by said map data acquiring unit.

Thus, as emphasized by the amendments presented herein, claim 1 is specific to a car navigation apparatus that searches facilities which exist in a vicinity of an intersection designated by a user. Further, intersection names which identify intersections in a vicinity of a current position of a car are outputted in order to allow user to designate one of the intersections for searching those facilities. As demonstrated specifically below, Daizen does not teach these features.

In the Office Action the Examiner states that Daizen discloses, in Figs. 1-10 and ¶¶[0016]-[0026], all elements of claim 1. Applicants respectfully disagree. For instance, Daizen does not disclose the facility searching unit recited in claim 1. The facility searching unit recited in claim 1 searches for facilities existing in a vicinity of the intersection selected by the intersection selecting unit, which selects an intersection designated by the user. Applicants do not find any teaching of searching facilities existing in a vicinity of the intersection designated by the user in Daizen. Instead, Daizen discloses an intersection search apparatus which searches for intersections. In Daizen's apparatus, the user specifies a facility or an object near a target intersection, and the intersection search unit 11 searches for the target intersection based on the facility or the object specified by the user (¶¶[0018]-[0024]). Thus, nowhere in Daizen does it teach or suggest searching for facilities in the vicinity of the intersection designated by the user.

In the Office Action it is alleged that the control device 1 in conjunction with the display device 6 and touch panel device 7 teaches a facility searching means for searching for facilities which exist in a vicinity of the intersection selected by the intersection selecting means through the map data acquired by the map data acquiring means. See Office Action page 4. Applicants respectfully disagree. The display device 6 in Daizen presents "genre selection screen" comprising facility categories as illustrated in Fig. 4 and "facility selection screen" comprising facility names as illustrated in Fig. 5. These facility categories or the facility names are items presented for the user to designate the facility near the target intersection (¶[0018]).

Accordingly, Applicants respectfully note that the control device 1 in combination with the display device 6 and the touch panel device 7 is not configured to perform any facility searching operation.

At least for these reasons, Applicants respectfully submit that Daizen fails to anticipate claim 1 or any claim depending therefrom. Likewise, Applicant's respectfully submits that the Daizen fails to support a finding of obviousness under 35 U.S.C. §103. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejections the prior art rejections that are based solely on Daizen.

Claim 8 stands rejected under 35 U.S.C. §103 as allegedly being unpatentable over Daizen in view of Komatsu (U.S. Patent 6,859,724). This rejection is respectfully traversed.

As set forth on pages 6-7 of the Office Action, the Examiner relies on a secondary reference, Komatsu, as allegedly pertaining to incremental features of dependent claim 8. Applicants submit, however, that this reliance on Komatsu fails to make up for the deficiencies of Daizen discussed above with respect to base claim 8. Consequently, the asserted combination of Daizen and Komatsu (assuming these reference may be combined, which Applicants do not admit) fails to establish *prima facie* obviousness of independent claim 1 or any claim depending therefrom.

In view of the above, Applicants respectfully request that the Examiner reconsider and withdraw the rejection that is based on the asserted combination of Daizen and Komatsu.

New Claims

New independent claim 10 is also patentable over Daizen as reciting a car navigation method comprising, *inter alia*, searching for facilities which exist in a vicinity of the intersection designated by the user by referring to the map data. Each of the new dependent claims 9 and 11-13 is patentable for at least a reason of dependency from a patentable base claim.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By _____
D. Richard Anderson

Registration No.: 40,439

BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant